

**Honorable City Planning Commission
Cincinnati, Ohio**

January 20, 2005

SUBJECT: A report and recommendation on a proposed zone change from RM-2.0 Multi-Family Residential District to RM-1.2 Multi-Family Residential District at 5445 and 5559 Kenwood Road in Madisonville.

GENERAL INFORMATION:

Petitioners: Cornerstone-Kenwood Towers, LLC
4444 Carver Woods Drive, Suite 110
Cincinnati, OH 45242

John R. and Sandra F. Hassman
5559 Kenwood Road
Cincinnati, OH 45227

**Agent
for Petitioners:**

Mark Tilsley
Tilsley & Associates Architects
1140 St. Gregory Street
Cincinnati, OH 45202

Purpose: To renovate an apartment complex into congregate housing (apartments with communal dining facilities and other support services).

BACKGROUND:

Cornerstone-Kenwood Towers, LLC (Cornerstone) is the new owner of the Kenwood Towers and Kenwood Bluffs apartment complexes at 5445 Kenwood Road in Madisonville (called Kenwood Towers throughout this report). The existing apartment complex consists of 3 six-story and 2 four-story buildings comprising 215 one, two, and three bedroom apartments. It is 12.82 acres in size. Cornerstone plans to renovate the apartment complex to a moderately-priced congregate housing complex aimed at seniors and empty nesters. The proposed exterior renovations are mostly cosmetic with more extensive renovation on the interior. The renovations may result in a total net decrease in the number of units. There are no physical changes proposed that would increase the building height, although one or more additional buildings may be required to house common facilities or storage areas.

In general, the proposed renovations to upgrade the facility and decrease the density are permitted in the RM-2.0 Multi-Family Residential District. However, some of the proposed changes to this complex would categorize it as congregate housing, which is not permitted or conditionally permitted. Congregate housing is permitted in the RM-1.2 Multi-Family Residential District, which is the requested zoning designation. Prior to the City of Cincinnati's adoption of a new zoning code in February 2004, this property was zoned R-4, Multi-Family Low Density District, which allowed congregate housing as a conditional use. The elements that would classify this development as congregate housing include: communal dining facilities and other services such as housekeeping, organized social and recreational activities, transportation services, and other support services appropriate for the residents.

The property at 5559 Kenwood Road, owned by John R. and Sandra F. Hassman, is the sole property between Kenwood Towers and the City of Cincinnati municipal boundary. This property was included in the zone change request to prevent an incident of spot-zoning. There are no changes proposed to this property, and no intention on the part of Cornerstone to acquire this property and redevelop it as part of the new development.

EXISTING CONDITIONS:

The properties in question are located at the top of the hill on Kenwood Road, on the municipal boundary with the City of Madeira to the north and Columbia Township to the west. The properties outside of the City of Cincinnati are all zoned for residential use. The properties immediately to the south and at the bottom of the hill are zoned SF-6 and are residential in nature.

PLANS:

There are currently no Plans for the Madisonville community that encompass or make reference to this property.

PUBLIC COMMENT:

The Planning staff held a public conference on this zone change request on December 8, 2005. In attendance were: the petitioner, the agent for the petitioner, three neighboring property owners from Madisonville, two neighboring property owners from Madeira, the legal representation for an additional property owner, and the City Manager for Madeira. The neighbors from Madisonville, who are separated from the property by a hillside, had no concerns regarding the development. Those representing the City of Madeira expressed the following concerns regarding the zone change:

1. Concern about additional uses of the property if it were sold to another developer.
2. Concern that 5559 Kenwood Road may be incorporated into the new development (neighbors do not want it to be acquired and used as a maintenance area).
3. Concern about the families currently living in the complex; that they be assisted with relocation.
4. Concern about the impact to both Madeira and Cincinnati Public Schools, as some children currently live in this complex.
5. A request to revisit the placement of the entrances, including improvements to sightlines and signage.

The Madisonville Community Council voted in support of the zone change at their December 15, 2005 meeting (please see attached letter of support).

ANALYSIS OF THE PROPOSED CHANGE:

When mapping the new zoning code, staff based designations on the existing land uses at that time. At this property, RM-2.0 was the designation that best fit the existing land use for 5445 Kenwood Road (Kenwood Towers), which was that of multi-family residential dwelling units. It was also compatible with other multi-family residential units located on parcels to the west of Kenwood Towers. 5559 Kenwood Road, a single-family dwelling, did not specifically fit the RM-2.0 designation but was likely zoned as such to avoid creating a spot-zone.

The only elements of this proposed development that prompt a zone change are the communal dining and other shared services that classify it as congregate housing. The proposed renovations to Kenwood Towers will upgrade the facility as well as provide another alternative for senior housing in this community. The Madisonville Community Council has supported this development, in part, because it offers additional options for seniors who want to remain in the community, but who are unable to remain in their own homes. In housing aimed at seniors and empty nesters, the types of services that classify this development as congregate housing are typically included and often desired by potential residents.

One concern of the neighbors from Madeira was that this property could be sold, the current proposal abandoned, and that a new owner could use the RM-1.2 zoning to make changes that would harm the surrounding properties. The primary change that could take place at this location is that the density could increase. However, given the topography of the site, it is unlikely that density could increase dramatically.

The property at 5559 Kenwood Road was added to the request for a zone change only because of the concern for spot-zoning. In this case, this small piece of property would likely not be considered a spot-zone because the property owners, the Hassmans, would not have any property rights above and beyond those of the adjacent properties. The property at 5445 Kenwood Road would also not be considered a spot-zone because at its size, 12.82 acres, it is large enough to constitute a separate zone.

CONCLUSIONS:

1. The RM-1.2 Multi-Family Residential District zoning would be an appropriate designation for 5445 Kenwood Road (Kenwood Towers) given the need for this type of housing product.
2. The change to RM-1.2 at 5445 Kenwood Road would not cause undue harm to any surrounding property owners.
3. The change to RM-1.2 at 5559 Kenwood is not necessary, as the change would not create a spot-zone.
4. The Madisonville community is in support of this change; the Madeira community is not opposed to the change at 5445 Kenwood Road.

RECOMMENDATION:

The staff of the Department of Community Development and Planning recommends that City Planning Commission take the following action:

Approve the zone change from RM-2.0 Multi-Family Residential District to RM-1.2 Multi-Family Residential District at 5445 Kenwood Road in Madisonville.

Deny the zone change from RM-2.0 Multi-Family Residential District to RM-1.2 Multi-Family Residential District at 5559 Kenwood Road in Madisonville.

APPROVED:

Respectfully Submitted,

Margaret A. Wuerstle, AICP
Chief City Planner

Katherine Keough-Jurs, AICP
Senior City Planner

Proposed Zone Change from RM-2.0 to RM-1.2 at 5445 and 5559 Kenwood Road in Madisonville

City Planning Commission
January 20, 2006



0 200 400 Feet

- 5559 Kenwood Road
- Zoning
- Pavement
- Buildings
- Parcel Polygons
- Location of Proposed Zone Change

5559 Kenwood: Not Recommended
for Zone Change

Location of Recommended Zone Change
5445 Kenwood Road

